

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

THE NEW YORK TIMES COMPANY,

Plaintiff,

v.

MICROSOFT CORPORATION, OPENAI, INC.,
OPENAI LP, OPENAI GP, LLC, OPENAI, LLC,
OPENAI OPKO LLC, OPENAI GLOBAL LLC,
OAI CORPORATION, LLC, and OPENAI
HOLDINGS, LLC,

Defendants.

Civil Action No.
1:23-cv-11195 (SHS) (OTW)

PLAINTIFF'S MOTION TO SEAL

Under paragraph 22 of the Stipulated Protective Order in this case (New York Times Dkt. 127), Plaintiff The New York Times Company (“The Times”) respectfully seeks to provisionally file under seal portions of its letter motion to compel. *See* Dkts. 392 (public version); Dkt. 398 (sealed version). The letter motion seeks a conference to discuss a discovery dispute—specifically, The Times’s request to compel OpenAI to produce documents concerning the market for data, documents concerning OpenAI’s revenues and profits, and documents OpenAI produced to government authorities. The Times seeks to file portions of this letter motion under seal because exhibits to the motion include and discuss documents that Defendants have designated as Protected Discovery Material under the Protective Order. Dkt. 127 ¶ 22. The Times does not affirmatively seek to seal any material. Under the Protective Order, Defendants have five business days to file a statement of reasons for why the material should be sealed. *Id.* The Times will review Defendants’ filings, and if necessary, confer about any disagreement.

This motion to seal supersedes the sealing motion filed on January 13, 2025, at Dkt. 391. That sealing motion was filed in error, as it is a duplicate to a prior motion to seal. *See* Dkt. 385.

Dated: January 15, 2025

/s/ Ian Crosby

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